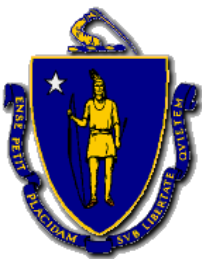


# DHCD SMALL PROJECTS GUIDE

FOR STATE AIDED PUBLIC HOUSING

**\$0 - \$25,000**

Massachusetts Department of  
*Housing and Community Development*



CHARLES D. BAKER, GOVERNOR  
CHRYSTAL KORNEGAY, UNDERSECRETARY **APRIL, 2015**

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The information contained in this publication represents our understanding of the current laws, regulations, and policies regarding procurement of design and construction services by Local Housing Authorities (LHA) for small (less than \$25,000) contracts for construction, including reconstruction, installation, demolition, maintenance or repair of a public building or site. Contracts for public building projects are subject to the requirements MGL c.149.

These laws, regulations, and policies are always subject to change and the reader is responsible for insuring that all information is current before proceeding on an issue and should not rely solely on the information contained herein.

In an effort to provide the most current information on these subjects, this guide and its attachments and appendices are updated as often as possible and are available in their most current form by visiting our web site at:

[www.mass.gov/dhcd/](http://www.mass.gov/dhcd/)

**Assistance getting to this document on the website can be found at the end of this Guide.**

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# **TABLE OF CONTENTS**

## **INTRODUCTION**

- [How to Use This Guide](#) ..... 2
- [Checklist for Implementing Small Projects from Beginning to End](#) ..... 4

## **IMPLEMENTING A PROJECT**

### **1. PROJECT PLANNING & SCOPING**

- [CIP Project Review and Update](#) ..... 6
- [Self-Assessment – Is a Design Professional Needed?](#) ..... 6
- [How to Hire a Design Professional \(Architect or Engineer\)](#) ..... 7

### **2. COMPILING A BID PACKAGE**

- [Standard Front End Forms and Informational Documents](#) ..... 8
- [Template Specification](#) ..... 9
- [Scope & Specifications](#) ..... 9
- [DHCD Technical Assistance](#) ..... 9
- [Obtaining Prevailing Wage Rates](#) ..... 10
- [Schedule a Site Visit](#) ..... 10
- [Standard Forms for Quotes and Bids](#)..... 10

### **3. THE PROCESS FOR PROCURING A CONTRACT FOR BUILDING CONSTRUCTION, SITE RELATED CONSTRUCTION OR CONSTRUCTION MATERIALS COSTING LESS THAN \$25,000**

- [Summary of Requirements for Building Related \(Vertical\), Non-Building Related \(Horizontal Construction\) and Procurement of Construction Materials](#) ..... 11
- [Soliciting Quotes for Projects \\$0 -10, 000 and \\$10,000 – 25,000](#) ..... 11
- [Soliciting Bids for Non-Building Related Construction Projects \\$10,000 – 25,000](#) ..... 11
- [Rebate on the cost of E-Hosting and E-Bidding](#)..... 12
- [Force Account and Procurement of Construction Materials](#)..... 12
- [Bid Splitting](#) ..... 12
- [How to Post a Notice in the Central Register & COMMBUYS](#)..... 13
- [Questions Raised by Potential Bidders Site Visits or Bidding Process](#) ..... 13
- [Receiving Bids or Quotes](#) ..... 14
- [Evaluating Bids or Quotes](#) ..... 14
- [Awarding and Executing Construction Contract](#) ..... 14
- [Public Bidding and Emergencies](#) ..... 15

### **4. CONSTRUCTION**

- [Construction Oversight and LHA Roles and Responsibilities](#)..... 15
- [Change Orders](#)..... 16
- [Approving Final Completion](#)..... 16
- [Closing Out the Project: Maintain the Project Records and](#)
- [Update Capital Planning Inventory](#)..... 16

## **APPENDIX**

- [References](#) ..... 19
- [Forms, Templates and Examples](#) ..... 27
- [How to Navigate the DHCD Website Reference Information](#)..... 36

# INTRODUCTION

## HOW TO USE THIS GUIDE

Since Local Housing Authorities (LHAs) began submitting Capital Improvement Plans in FY 2012, LHAs and DHCD have collaborated on hundreds of capital projects each year. In 2013, DHCD issued the DHCD Small Projects Guide (the Guide) to assist LHAs with the independent execution of capital projects under \$25,000. Periodically, DHCD updates the Guide to reflect changes to law and new DHCD policies and practices. The latest revision, dated April 2015, includes the following updates:

1. Page 7: Information about the House Doctor Lite program
2. Page 8: Information about the rebate for design fees
3. Page 12: Information on Ebidding
4. Page 12: Force Account Procedures
5. Page 13: COMMBUYS advertising requirements
6. Page 20: Link to DHCD template specifications
7. Page 20: Link to DHCD Front end Documents
8. Page 20: Link to New checklist for assigning tasks to project team members
9. Page 21 for Link and 32 & 33 for Sample: Invoice Form for submitting requests for payment to DHCD

In addition to this guide, DHCD continues to provide trainings and remote technical assistance for LHAs on the topic of smaller project execution. DHCD staff host periodic small project “boot camp” calls and in person trainings. For more information on these opportunities, please contact [William.Miller@state.ma.us](mailto:William.Miller@state.ma.us). DHCD Project Managers, Engineers, Architects and Construction Advisors are available to answer questions and for assistance when issues arise that are not addressed in this guide. However, the bulk of their on-going assistance is focused on hundreds of larger capital projects (over \$25,000 and especially over \$100,000 in construction cost). The availability of DHCD staff and advisors to instantly provide assistance on smaller projects cannot be guaranteed, but they will provide help as their schedules allow.

This guide consists of a set of step-by-step instructions that you can follow to make sure your project is done efficiently, cost-effectively and according to the applicable statutes, rules and regulations. At the end of this section, on p. 4, is a “Checklist for Implementing a Small Project from Beginning to End” which summarizes the steps and where they are addressed in the Guide. The Appendix also provides web links or sample reference documents, forms and templates to be used for project scoping, through bidding and construction to closeout. DHCD’s web site will always have the most current versions of all of these documents in electronic form so that you can access and use them easily. Once again, the purpose of this guide is to provide a step-by-step process and the key documents in one place, so that an LHA can:

- **Take the project description from the capital plan level of detail and turn it into a doable project;**
- **Decide whether to use professional design services, to what extent and how to engage a professional to work with you;**

- **Prepare design documents, compile a bid package, bid and award a construction contract for the project;**
- **Oversee the construction phase from Notice to Proceed (NTP) to closeout, update the Capital Planning System to reflect the capital improvements installed and centrally record vital operation, repair, parts and warranty information;**
- **Certify to DHCD that you have implemented the project in accordance with law and regulation (see Appendix for form); and**
- **Maintain a project record.**

Your feedback on this guide is most welcome. Please direct comments on the guide to [roberta.strongin@state.ma.us](mailto:roberta.strongin@state.ma.us). This document will be updated continually, based on LHA feedback and questions and the experience of the DHCD professionals following every project. We hope that by doing so we will provide you with the most helpful and relevant information available. The date this document was updated is found at the lower left corner of each page. You should always check on the DHCD website to make sure you are using the most recent version.

*If you are reviewing this document on paper, you will not be able to access the many website links that are embedded in the electronic version, showing sample documents as well as the blank forms. We have tried to include examples of the key documents in the Appendix for reference, but strongly encourage use of the electronic linked versions of the documents at the time you are actually preparing them, to ensure that you are using the latest versions.*

**CHECKLIST FOR IMPLEMENTING BUILDING RELATED SMALL PROJECTS**  
**(LESS THAN \$25,000)**  
**FROM BEGINNING TO END**

Completion Date	Checklist Item	Refer to Page(s)
<b>PROJECT PLANNING &amp; SCOPING</b>		
	Use CIP to prepare <b>PROJECT DESCRIPTION</b>	6
	Collect available <b>PHOTOS &amp; PLANS</b>	6
	Prepare detailed <b>SCOPE OF WORK</b> if necessary, update <b>PROJECT SCHEDULE</b> and, if necessary, revise <b>PROJECT BUDGET</b>	6
	Determine if the AHJ will require a <b>BUILDING PERMIT</b>	6
	Determine the <b>BIDDING REQUIREMENTS</b>	7
	Determine whether the project requires or needs a <b>LICENSED ARCHITECT or ENGINEER</b>	7
	If so, <b>HIRE A LICENSED PROFESSIONAL</b>	7
	Prepare <b>PLANS, TECHNICAL SPECIFICATIONS</b> and a <b>DETAILED COST ESTIMATE</b>  <i>If your final cost estimate is more than \$25,000, STOP AND CONTACT YOUR DHCD PROJECT MANAGER</i>	7,8
<b>PROJECT DESIGN AND DOCUMENTATION: THE BID PACKAGE</b>		
	Obtain and Assemble Appropriate DHCD <b>FRONT END</b>	8
	Include a <b>STANDARD FORM FOR QUOTES</b>	8
	Check for <b>TEMPLATE SPECIFICATIONS</b>	9
	Attach a <b>SCOPE OF WORK</b> and as necessary <b>PLANS and TECHNICAL SPECIFICATIONS</b>	9
	Apply for <b>WAGE RATES</b> and attach to bid packages: Projects must be Bid within 90 days	10
	Include a date in the advertisement for the <b>SITE VISIT</b>	10

Completion Date	Checklist Item	Refer to Page(s)
<b>CONSTRUCTION CONTRACT PROCUREMENT: THE BID PROCESS</b>		
	For projects less than \$10,000, just <b>SOLICIT PROPOSALS</b>	<b>11,12</b>
	<b>USING SOUND BUSINESS PRACTICES</b>	
	for projects \$10,000 << \$25,000 submit <b>PUBLIC NOTIFICATION</b>	<b>13</b>
	Distribute to Contractors <b>BIDDING DOCUMENTS</b>	<b>11</b>
	Conduct <b>SITE VISITS FOR INTERESTED CONTRACTORS</b>	<b>13</b>
	<b>ANSWER QUESTIONS</b>	<b>14</b>
	<u>All</u> answers must go to <u>all</u> contractors who have picked up bid packages by written Addendum.	
	<b>RECEIVE QUOTES</b>	<b>14</b>
	<i>If your low Quote is more than the bidding threshold, STOP AND CONTACT YOUR DHCD PROJECT MANAGER</i>	
<b>BID REVIEW AND CONTRACT AWARD</b>		
	Check Contractor's <b>REFERENCES</b>	<b>14</b>
	Verify that Contractor is <b>NOT DEBARRED</b>	<b>14</b>
	by the State or Federal Government	
	within 30 working days from Bid Opening do <b>BOARD VOTE</b>	<b>14</b>
	<b>AWARD CONTRACT</b>	<b>15</b>
	Prepare and send to Contractor <b>LOW BID APPROVAL LETTER</b>	<b>15</b>
	Prepare and forward <b>CONTRACT TO CONTRACTOR</b>	<b>15</b>
	Obtain Contractor's <b>CERTIFICATE OF INSURANCE</b>	<b>15</b>
	LHA and Contractor <b>EXECUTE CONTRACT</b>	<b>15</b>
<b>CONSTRUCTION AND CLOSE-OUT</b>		
	Schedule a <b>PRE-CONSTRUCTION MEETING</b>	<b>15</b>
	Issue a <b>NOTICE TO PROCEED (NTP)</b>	
	<b><i>Must have fully executed contract with Certificate of Insurance attached</i></b>	<b>15</b>
	Contractor obtains and LHA pays for <b>BUILDING PERMIT(S)</b>	<b>16</b>
	LHA <b>MAKE WORK AREA AVAILABLE</b>	<b>16</b>
	to the Contractor at the times specified in the Scope	
	Provide <b>RESIDENT COORDINATION</b>	<b>16</b>
	If required, <b>APPROVE SUBMITTALS</b>	<b>16</b>
	Review and process, if needed, <b>CHANGE ORDERS</b>	<b>16</b>
	Execute <b>CERTIFICATE OF FINAL COMPLETION</b>	<b>16</b>
	Prepare and submit <b>CERTIFICATION OF COMPLIANCE</b>	<b>17</b>
	<b>MAKE PROMPT PAYMENTS</b>	<b>17</b>
	<b>MAINTAIN PROJECT RECORD AND UPDATE CPS</b>	<b>17</b>

The Appendix reference section includes an alternate version of this Checklist that you can use to assign tasks if you hire a Designer to assist with the project.

## 1. PROJECT PLANNING & SCOPING

### CIP Project Review and Update

Once DHCD has approved your Capital Improvement Plan (CIP) or revision and provided you with a DHCD project number (FISH number), the first step in starting the project is reviewing the information about the project in your approved CIP. It should include a basic description, preliminary cost estimate and schedule. You need to determine how accurate that preliminary information is and update it if necessary. Review your own records – especially recent ones -- to determine if the project scope still covers the components and building systems that need to be repaired, replaced or modernized. If the project budget or scope has changed significantly, contact your Project Manager to determine whether additional DHCD approval is required prior to proceeding with a revised project.

These guidelines apply to all publicly funded projects with construction contracts under \$25,000, and are not limited to bond-funded capital projects. Routine or preventive maintenance projects funded from operating budgets and projects funded with grants must also follow this guidance.

### Self-Assessment -- Is a Design Professional Needed?

At this point you should begin to consider whether or not the LHA staff can prepare a bid package on its own or if it requires assistance from a registered design professional. Answering the questions below may help you decide:

- Identify the scope of the project, and the statutes and other rules governing the project based on the cost of design and construction and the construction type. Does this project involve new construction, alterations, maintenance, repairs, expansions or additions, or change in use or occupancy of a building containing more than 35,000 cubic feet of enclosed space? For reference purposes 35,000 cubic feet is about the size of a 2-unit residential duplex structure. If so, the applicable building code is the 2009 International Building Code with Massachusetts amendments known as 780 CMR 8<sup>th</sup> Edition. A licensed consultant may be required for such a project.
- Determine if a Building Permit may be required. For reference purposes, Building Permits are not typically required for ordinary repairs (as defined by Chapters 2.00 and 9.00 of the building code) ~~and~~ or for painting, papering, tiling, carpeting, cabinets, counter tops and similar interior finish work.
- If a Building Permit may be required, inquire of the Authority Having Jurisdiction (AHJ) – in this case, the local Building Inspector-- if a permit will be required. If so, are construction documents required and how detailed do they need to be? The AHJ has the authority to specify the level of detail of the construction documents or to waive the submission of construction documents for the building permit application altogether (section 107.1) when the AHJ deems construction documents are not necessary to obtain compliance with the building code. You should ask if the AHJ, in the case of your particular project, will require construction documents consisting of plans, computations and specifications



that must be prepared by a registered design professional and must bear the seal and signature of the responsible registered design professional in accordance with MGL c.143 §54A. If the answer is “yes”, you are required by the Massachusetts State Building Code to obtain the services of a registered design professional.

- If the AHJ does not require stamped drawings, you may be able to prepare the necessary documentation and bid package yourself. In this case, be sure that your staff has the time and necessary experience to prepare a detailed set of documents for a bid package (involves measuring quantities of various building materials needed, obtaining product information for several brands and models of equipment that would meet both LHA requirements for performance and DHCD Guidelines & Standards) and to diligently oversee construction.
- Whether required by law or not, DHCD also advises you to consider using the services of a registered design professional for certain types of construction (see Descriptions of Building Related (Vertical) Construction and Descriptions of Non-Building Related (Horizontal) Construction in the Appendix) and for jobs that involve multiple trades or are not simple replacements of existing components. Review each situation to determine the proper path to creating a complete bid package and to assure that the cost of the construction is controlled and that high quality is assured.

### **How to Hire a Design Professional (Architect or Engineer)**

If you are required to hire or choose to hire a design professional, it's best to select a firm with relevant experience: multifamily housing using the type of construction utilized for your project and public procurement requirements. Consider DHCD's list of Designer Selection Committee (DSC) approved House Doctors or DHCD-trained House Doctor Lites. These licensed consultants are architects and engineers who understand DHCD & LHA capital project issues and are ready to assist you. (The link to the lists of House Doctors and House Doctor Lites can be found on the References page in the Appendix). There are also many other qualified architects and engineers statewide that have multifamily housing expertise and have successfully provided professional design services to housing authorities.

The fee for a design for a job with a construction cost of less than \$25,000 will most likely be less than \$10,000. For jobs with a fee of more than \$10,000, you must ask for a proposal from a House Doctor through the House Doctor Administrator ([David.McClave@state.ma.us](mailto:David.McClave@state.ma.us)) or go through DHCD's Designer Selection Committee (DSC). When you are hiring a design professional for a small job with a design fee less than \$10,000 there is no legal requirement for a formal solicitation of proposals. However, DHCD recommends that you contact at least three qualified designers by phone or email to find out who has time to take on a small job and respond promptly with service. These are some of the questions to consider before, or as you are engaging candidate designers:

- Do the requested design services involve a defined scope of design work or a more open ended consulting role for the designer such as: reviewing your draft specification, generating a specification, compiling the bid package, providing construction oversight?
- Will the cost be invoiced at an hourly rate or as a fixed price; what are the hourly rates?

Designers experienced with the Commonwealth's statutory requirements for the procurement of construction contracts and especially housing authority work can provide great value for the fee charged. More specifically, designers can advance your projects in a professional manner and during times of year when the executive director or facilities staff are preoccupied with many other time-sensitive and time-consuming tasks of running an LHA. As an incentive, LHAs are entitled to a 50% rebate on costs of hiring designers for Formula Funded projects under \$25,000, not to exceed \$3,000. The rebate will automatically be incorporated into the LHA's next Formula Funding award based on invoices submitted.

The Appendix reference section includes a link to a sample letter contract for engaging design services for small projects where the basis of payment is a fee-for-service business arrangement and will not exceed \$10,000 and a Checklist of Tasks and Services to aid the LHA to determine the consultant's scope of services.

## **2. COMPILING A BID PACKAGE**

If the LHA determines that it can proceed with a project on its own with or without the services of a registered design professional, and is allowed to do so by the local AHJ over construction projects, it will need to create a bid package. Most LHAs have seen a bid package but may not have ever prepared one.

For small projects, a complete bid package consists of the following:

- Scope of work and specifications particular to the project;
- Standard informational documents (Front Ends) that describe the statutory and contractual obligations for the bidder/contractor;
- Standard Forms for Quotes – Bidder/contractor fills in the quote with their costs.
- Prevailing wage rates (must have been obtained within 90 days of the date quotes are received)

DHCD provides many resources to inform the development of a suitable scope of work and to prepare technical design documents, specifications and related bid documents on its website (see the Appendix for detailed instructions to access the DHCD Public Housing Modernization website), as follows:

- Front Ends, Procurement Forms & Contracting Requirements
- Design & Construction – Guidelines & Standards
- Draft Unit Price Bid Packages for the most common types of building component replacements, such as roofing including specifications that can be edited by knowledgeable LHA staff
- Technical consulting and assistance as available

### **Standard Front End Forms and Informational Documents**

DHCD has provided a "Front End" to use on all projects for the appropriate project type and size on its website which is the guide for process and contract documents. DHCD "front ends" include the *April 2015*

forms that the bidder will use to submit a quote, as well as an Owner/Contractor Agreement and Form for Corporate Vote if the contractor is a corporation.

The standard front end documents also explain to the bidders the general terms and conditions that will apply if the bidder is selected for the job, information about insurance, OSHA requirements and the construction contracts and forms that will be prepared and executed by the low bidder. These are sometimes called “boilerplate” because they are all essential to EVERY contract and the housing authority is not expected to modify them before using. The housing authority should be thoroughly familiar with the front ends and all of their details and requirements. One key requirement applicable to jobs over \$10,000 is that the contractor and/or its workers are required to have completed a 10-Hour OSHA Training Program in order to perform work on the site.

The DHCD front end should be attached to the front of the scope of work defined by the LHA or by their consultants.

### **Template Specification**

Contact DHCD technical staff ([James.McCurdy@state.ma.us](mailto:James.McCurdy@state.ma.us)) to see if a template specification is available for the specific work that you are proposing and consider using it. The architects and engineers of the DHCD Bureau of Housing Development & Construction have created many of these specifications based on technical assistance for similar types of projects. These template specs can be used as tools by LHAs or their hired designers to speed the process and reduce costs. See the Appendix reference section for a link to a sample bid package and for a link to the Index of currently available template specifications.

### **Scope & Specifications**

The scope consists of a quantified description of the work to be completed and any special work requirements. The specifications provide performance standards for materials to be used so the contractor knows the level of quality the LHA requires. Together they need to provide enough detail about the project so that each contractor can provide comparable pricing for the job.

All specifications, whether prepared by a designer or the LHA, should follow the minimum standards set forth in the DHCD Design & Construction – Guidelines & Standards. If you are going to prepare your own plans and specifications the Guidelines can be of use to you in making qualitative decisions to achieve a durable and sustainable project. (See Appendix for web link to DHCD Design & Construction – Guidelines & Standards.)

### **DHCD Technical Assistance**

If you believe that you can prepare plans and specifications – with or without a professional designer and with or without a template – but would like to be able to utilize occasional technical assistance from DHCD, contact the DHCD supervising staff architect or engineer to request technical assistance. DHCD staff architects and engineers will only be available for limited technical assistance as their time permits. DHCD review architects and engineers do not prepare “in-house specs” for LHAs nor are they available to perform a detailed technical review of a bid package.

**If you need further assistance call  
Jim McCurdy, DHCD Supervising Architect at  
617-573-1151 or e-mail at [james.mccurdy@state.ma.us](mailto:james.mccurdy@state.ma.us)  
Or  
Joe DiMare, DHCD Supervising Engineer at  
617-573-1157 or e-mail [joseph.dimare@state.ma.us](mailto:joseph.dimare@state.ma.us)**

## **Obtaining Prevailing Wage Rates**

The Massachusetts Department of Labor Standards (DLS) issues prevailing wage schedules to public agencies, including LHAs, for construction projects and several other types of public work. These prevailing wage schedules contain hourly wage rates, usual benefits and overtime that various types of workers must receive when working on a public construction project. Current prevailing wage rates must be attached to all bid packages. The LHA is always responsible for obtaining and providing these rates to prospective bidders. Prevailing wage rates apply to all contracts for public construction work regardless of dollar value unless the work is being performed by a sole proprietor. The prevailing wages included in the bid package must have been obtained within 90 days of the date that quotes are received.

### **TO APPLY FOR WAGE RATES GO TO:**

[www.mass.gov/lwd/](http://www.mass.gov/lwd/)

<<Click on>> **WAGE AND EMPLOYMENT RELATED PROGRAMS**

<<Click on>> **PREVAILING WAGE PROGRAM**

<<Click on>> [OFFICIAL REQUEST FOR WAGE RATES](#)

<<Click on>> **CONTINUE WITHOUT REGISTERING**

**If you need further assistance call  
Candy Tempesta, DHCD Contract Specialist at  
617-573-1507 or e-mail at [candy.tempesta@state.ma.us](mailto:candy.tempesta@state.ma.us)**

## **Schedule a Site Visit**

All potential bidders should be provided an opportunity to visit the site and become familiar with the local conditions under which the work has to be performed so as to be able to take these conditions into consideration in preparing the bid. The housing authority may choose to conduct a site visit for all bidders in order to control visitors on the site but should be prepared to accommodate a potential bidder who cannot attend the prearranged site tour.

The Central Register posting should include the date, time and location of the site visit written into the Additional Information section of the form.

## **Standard Forms for Quotes and Bids**

A simple standard Form for Quotes and a Form for Bid are included in the applicable front end. The link to the front ends is in the Appendix reference section.

### **3. THE PROCESS FOR PROCURING A CONTRACT FOR BUILDING RELATED OR, SITE RELATED CONSTRUCTION , OR PROCURING CONSTRUCTION MATERIALS WITHOUT LABOR**

#### **Summary Requirements for Building-Related (Vertical) or Non-Building-Related (Horizontal) Construction Contracts or Procurement of Construction Materials**

The one-page bidding summaries for vertical and horizontal construction and purchase of construction materials can be found in the Appendix. They provide handy summaries of all procurement requirements for each type and size of project on one page. You may wish to post these somewhere in your office for reference. (See the Appendix for web links to the related DHCD Front End Documentation and Instructions for each solicitation category.)

#### **Soliciting Construction Quotes for Building Related Projects \$0 -\$10,000**

Once your bid package is ready, it's time to get quotes.

For all jobs estimated to cost less than \$10,000, "sound business practices" apply. **Sound Business Practices** means *"ensuring the receipt of a favorable price based on a scope of work and adhering to a Code of Conduct to avoid violating public bid laws"*.

DHCD recommends that an LHA invite at least three contractors to quote the job, but if they decline, a single quote that meets all requirements may be accepted. Keep records of contractors asked to quote.

Although though there are no statutory requirements other than providing prevailing wage for Non-Building Related Projects \$0-10,000, the above solicitation process is recommended.

#### **Soliciting Construction Quotes for Building Related Projects \$10,000 – 25,000**

Building related projects estimated to cost between \$10,000 and \$25,000 require a public notification process which is not a sealed bid process. However, the LHA should treat each proposal or bid as a confidential document and never share any quote until after the date and time deadline for quotes to be submitted.

Projects estimated to cost between \$10,000-25,000 require a public notification in the Central Register and COMMBUYS published once at least two weeks before quotes are due to be received. See the sample public notice and be sure that all of the necessary information is included in the notice that you publish. Also post the notice on the LHA bulletin board for two weeks before responses are due.

#### **Soliciting Bids for Non-Building Related Building Projects \$10,000 – 25,000**

All non-building related projects estimated to cost between \$10,000 and \$25,000 require a sealed bid process. There are two processes to accomplish this, both of which require notices be published in the local newspaper and the Central Register once at least two weeks before the bid opening. In addition, a notice must be posted at the LHA for one week prior to the bid opening. The MGL c30 §39M process requires bidders to provide a 5% bid deposit while MGL c.30B does not.

## **Rebate on the costs of E-Hosting and E-Bidding**

DHCD is offering all LHAs a rebate on the costs of E-hosting and E-bidding on any project that employed one or both of these services after July 1, 2014. Web-based construction bid document distribution (E-hosting) and web-based construction bidding (E-bidding) helps streamline the bid process and can reduce the time the LHA needs to devote to managing it. We are aware of two vendors who offer these services and who have demonstrated an understanding of the needs of the Designers, LHAs and DHCD: [BidDocsONLINE](#) and [Projectdog](#). The rebate will automatically be incorporated into the LHA's next Formula Funding award in the amount of invoices submitted for E-hosting and E-bidding services.

## **Force Account and Procuring Construction Materials**

LHAs have the option of doing the work in their capital plan with their own maintenance staff. The intent of this option is to maximize the efficient use of capital funds, but it is not intended to reduce the portion of the LHA's operating budget devoted to regular and extraordinary maintenance. Any "savings" in operating budget costs (for example, maintenance staff salaries paid by capital funds) must be used to fund other maintenance or extraordinary maintenance costs, whether for labor, materials or contracted work. If the estimated cost of the work exceeds \$10,000, contact your project manager to arrange for a DHCD construction advisor to review comparable work done by the same personnel and do not start the work unless you have the construction advisors approval.

When you will be purchasing materials, those purchases are regulated by M.G.L. c30§39M or M.G.L. c30B §§4 & 5.

For materials estimated to cost less than \$10,000, "sound business practices" apply. See description of sound business practices in the previous section.

For materials estimated to cost between \$10,000 and \$25,000 the LHA can use either of two processes for sealed bids which are the same as the non-building related process described above.

LHAs cannot use cooperative agreements, federal supply contracts, or other statewide contracts for purchase of construction materials costing over \$10,000 due to changes to M.G.L. c30§39M effective in June 2012.

When requesting reimbursement, along with documentation requested with the standard Invoice Form included in the Appendix, include an invoice for labor hours indicating the name of the staff person(s) that completed the work, number of hours worked, the date(s), the hourly rate (excluding retirement benefits), and indicate whether it is a regular or overtime rate. The Appendix includes a form you can use to record and submit this information.

## **Bid-Splitting and Small Projects**

Some LHAs have divided a development-wide capital improvement into several smaller projects that will be done with formula-funding over several years. An example of this would be phasing a roof or siding replacement, or boiler replacements so that a few buildings of a multi-building development are completed each year of the 3 year capital plan.

In some cases, implementing the first of several smaller projects may involve design work that will be applicable to the later procurements. Depending on cost, each smaller project may be subject to less

complex procurement requirements than if the LHA were to complete the entire development in one project. Some LHAs have asked whether this could be construed as bid-splitting.

Bid splitting involves intentionally dividing a project for the purpose of evading the requirements of the procurement laws. Creating smaller projects in a capital plan is being done due to the limited availability of capital funding, not with the intent to evade procurement laws, and so is not bid-splitting.

### **How to Post a Notice in the Central Register & on COMMBUYS**

**Public Notice in Central Register – For jobs estimated to cost between \$10,000 and 25,000, public notification is required in the Central Register & COMMBUYS 14 days prior to receipt of quotes. Central Register notices must be entered by Tuesday at 4PM for posting on Wednesday of the following week (8 days later).**

Use the Wednesday posting date to set your date for receiving bids or quotes. If you miss the 4 PM Central Register deadline on Tuesday, you lose a week and should change all the dates for bid opening and a site visit or walk-through, before resubmitting to the Central Register before the next Tuesday.

**TO POST TO THE CENTRAL REGISTER GO TO:**

**[www.sec.state.ma.us](http://www.sec.state.ma.us)**

**Go to Column Heading: Publications and Regulations/Book Store**

**<<Click on>> Central Register**

**<<Click on>> [Submit Bid Notices and Information](#)**

**<<Click on>> General Contract Online Submission**

**If you need further assistance call  
Candy Tempesta, DHCD Contract Specialist at  
617-573-1507 or e-mail at  
[candy.tempesta@state.ma.us](mailto:candy.tempesta@state.ma.us)**

### **How to Post a Notice on COMMBUYS**

**Applies Only To Vertical (Building Related) Construction Projects Estimated To Cost Between \$10,000-\$25,000**

**For Instructions on How to Post a Public Notification on COMMBUYS  
Contact COMMBUYS Help Desk at  
[commbuys@state.ma.us](mailto:commbuys@state.ma.us) and at 888-627-8283**

### **Bidder's Questions Raised During Site Visits or During the Bidding Process**

All potential bidders should be provided an opportunity to visit the site and become familiar with the local conditions under which the work has to be performed so as to be able to take these conditions into consideration in preparing the bid. The housing authority may choose to conduct a site visit for all bidders in order to control visitors on the site but should be prepared to accommodate a potential bidder who cannot attend the prearranged site tour.

The LHA also has the obligation to respond to every question or request for a clarification or interpretation of the design documents posed by a potential bidder **by issuing an Addendum two full work days prior to receipt of bids or quotes addressing** disseminating both the question or request and the response to every potential bidder to assure that all bidders are on equal footing in preparing their bids.

### **Receiving Quotes or Sealed Bids**

Quotes for building related projects can be opened as they are received. They can be received on paper, by fax or by e-mail using the Form for Quotes. If e-mailed, they must include an attachment consisting of scanned copies of all of the documents required to be signed by the bidder showing the signature. All quotes must be documented and retained for the project file.

Sealed bids are required for Non-building work over \$10,000 and must all be opened at a public bid opening and must be submitted on the Form for Bid provided in the bid package.

### **Evaluating Quotes and Bids**

Once quotes or bids (as is appropriate) are received and the deadline for quotes has passed, the LHA must determine the lowest qualified bidder and verify that the contractor is not debarred by the state or federal government. (See References in Appendix for the web site to check for debarred contractors.)

The LHA should then check the references of that bidder. Some questions you may wish to ask the references are:

- Did the contractor perform the work in accordance with the scope of work?
- Did the contractor provide sufficient oversight of the work performed?
- Rate the contractor's knowledge and experience.
- How were the contractor's overall schedule, organization and responsiveness?
- Did the contractor request change orders on the project? Were they justified?
- Would you use this contractor again?

The answers to these and any other questions together with any of your other notes from these calls or e-mails must be retained in the project file.

If the references for the low bidder are unsatisfactory based on projects within the past 5 years, the LHA can reject the low bid as long as there is sufficient documentation to support this action and continue to check references of the next lowest bidder and so on. LHAs should feel free to contact DHCD to discuss next steps in these circumstances when the low bid is not accepted.

### **Awarding and Executing Construction Contract**

Once a bidder with satisfactory references is determined, the LHA Board must vote to approve the low bid and award the contract and should prepare and send a low bid approval letter to the contractor, including contracts to be signed by the contractor and returned to the housing authority together with the Contractor's Certificate of Insurance.



## **DHCD's approval of the low bid is NOT required for projects with construction costs under \$25,000.**

A sample low bid approval letter is included in the Forms and Templates of the Appendix. The link to the contract forms for projects estimated to cost \$0 - \$10,000 and \$10,000 - \$25,000 are also included in the reference section of the Appendix and are available on the web. Other than adding the name of the contractor, time of completion and the contract price, no change should be made to the contract form and only these forms should be used. A sample Certificate of Insurance which is to be provided to the LHA by the Contractor is also included.

The contracts (at least 2 copies) should be sent to the contractor for its signature first. After the return of at least two signed original copies of the contract, proper insurance certificate(s) and any other required documents, the LHA should execute the contracts. Usually the Chair and the Secretary/Clerk of the Board is authorized to execute a contract voted on by the Board without an additional Board meeting or vote. Many LHAs choose to expedite the process by authorizing the ED to sign a specific contract on its behalf when it is returned as part of the vote to award that specific contract to the low bidder.

### **Public Bidding & Emergencies**

Should you have an emergency situation that is an immediate threat to the health and safety of the residents, you should act as soon as possible to correct the problem. The emergency response should be limited to the work necessary to address the health and safety concern, not a full repair or replacement that may ultimately be required. If the cost exceeds \$10,000, please notify your Project Manager as soon as possible after the event so we can work with you to request a DCAM waiver from the advertising requirements and provide you with general provisions in order to solicit quotes.

Please note that the LHA is responsible for applying for and providing the Massachusetts prevailing wage rates for all projects, even emergencies. We suggest that you apply for wage rates every three months so you have them available if you need to address an emergency. If your emergency project is estimated to cost \$10,000 or more, the contractor and/or its workers are required to have completed a 10-Hour OSHA Training Program in order to perform work on the site. This requirement is not waived for emergencies.

## **4. CONSTRUCTION**

Once the Owner/Contractor Agreement (often referred to as the Construction Contract) has been fully executed, the project can move into the actual construction stage.

### **Construction Oversight and LHA Roles and Responsibilities**

During this phase the LHA is responsible for the following:

- The LHA should issue a Notice to Proceed (NTP) to the Contractor. (See Sample in the Appendix)
  - At a minimum, the NTP clearly establishes the start date of the contract and designates the owner's representative. Other items of importance not covered in the contract may also be established as part of the NTP. Although it sounds too formal for a contract of such small value, this document will help you by documenting the terms impacting the time of completion should problems arise.

- Paying for the Building Permit(s) which the Contractor must obtain.
  - Frequently, communities are more likely to reduce the cost of permits, etc. if a public agency actually pays for it;
- Providing Resident Coordination;
- Making the work area available to the Contractor during the hours designated in the scope of work;
- Approving submittals, if required, which may include selecting colors or approving materials or equipment that will be used. These need to be compared to the specified products, if appropriate.
- Making prompt payments for properly completed work.  
***(Note that Contractors are due Interest on Late Payments)***
- Reviewing and processing Change Orders.

Some technical assistance during construction from DHCD may be obtained by contacting your LHA's Construction Advisor.

### **Change Orders**

In almost every construction project circumstances arise that require changes to the work and Contract Documents. These changes can be the result of a matter brought up by the Contractor and/or the Owner. These can involve changes to the Contract conditions, construction details and/or the time of completion or schedule. Change Orders do not necessarily result in increased project cost. Normally, the contractor proposes a change order to the designer who fills out the actual form to his satisfaction and submits it to the housing authority for its approval.

Typically Change Orders involve:

- Minor changes;
- Latent or hidden conditions; or
- Clarifications to the Contract Documents.

**You may not use a Change Order to include work that was not part of the original scope of work at the time bids were solicited!**

### **Approving Final Completion**

At the end of the project, the LHA or their hired design professional is responsible to review the work completed and create a list of incomplete items commonly known as a "punch list" for the contractor to complete prior to final payment. After the contractor has completed all of the work on the punch list created by the LHA, then the Certificate of Final Completion (if your job is over \$10,000) can be issued. The Appendix has a link in the reference section to the Certificate of Final Completion form.

### **Closing Out the Project**

Several steps need to take place during closeout:

- **Warranty Documentation:** The Contractor should provide a Warranty for work as described in the scope of work. These Warranties need to be filed by the LHA for access should there be defects in the work or materials. A minimum one year warranty for general work and materials is a standard.

- **Updating Capital Planning System:** The LHA must update its CPS records to reflect all construction projects completed. Construction Advisors have been trained to provide Technical Assistance in this area; see also <https://dhcdcps.com>
- **Requesting payment and submitting the Certification of Compliance:** Most small projects only require one invoice. To request payment from DHCD, submit an Invoice Form for Under 25K Projects and invoices via email to [DHCDlhainvoices@massmail.state.ma.us](mailto:DHCDlhainvoices@massmail.state.ma.us) or via US Mail to Gail Cassarino, DHCD, 100 Cambridge Street, Suite 300, Boston, MA 02114. The Certification of Compliance with Bidding Laws and Capital Plan form and the Certificate of Final Completion (if your job is over \$10,000) needs to be submitted with the payment request. (see Appendix for sample forms and a web link to a form for LHA use)
- **Maintain a project record:** the LHA should keep a project record that contains the following information:
  - DHCD Project Number (FISH Number)
  - Building or other Permit(s) as necessary
  - Designer (Architect/Engineer) Contract
  - Bid Package
  - Firms contacted to supply quotes and advertisement (if required)
  - Submitted quotes
  - Reference check for low bidder
  - Vote to award contract
  - Contract (including Change Orders, insurance and wage reporting)
  - Wage reporting for work completed by LHA maintenance staff
  - Certificate of Final Completion
  - Warranties
  - Payments
  - Certification of Compliance with Bid Laws and Capital Plan

DHCD may complete a post completion review of the project and/or project record.

**If you need further assistance, call  
 Bill Miller, Supervising Construction Advisor at  
 (W) (617) 573-1170; Cell (617) 571-4690 or  
[William.M.Miller@State.MA.US](mailto:William.M.Miller@State.MA.US)**

# APPENDIX

Here are the key documents referenced throughout this guide. They vary in type:

- Reference Information
  - References: a summary of websites where you can get key DHCD documents, obtain Prevailing Wages or post Public Notifications to the Central Register
  - Definitions of Vertical and Horizontal Construction Work
  - Bidding Summaries for Building-Related Construction, Non-Building/Horizontal Construction and Construction Materials Procurement (No Labor)
  - Checklist of Tasks and Services for Implementing Small Projects
- Forms / Templates/ Examples –Some of the forms and templates are filled out with actual project information as an example. This information will need to be changed to coordinate with the particular LHA project.
  - Sample Central Register Public Notification
  - Sample Certificate of Insurance
  - Low Bid Approval Letter
  - Notice to Proceed
  - Invoice Form for Under \$25K Projects
  - Force Account Hours Invoice Form
  - Certificate of Final Completion
  - Certificate of Compliance with Bidding Laws
- Navigating the DHCD website





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## REFERENCE INFORMATION

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## REFERENCES

You will find the documents easy to edit if you open the online document and save the file to your own computer. Then close your web browser and open the document on your computer using your word processing software.

Key Documents	Web Hyperlink	Type of Document
	<a href="#">\$0-\$25,000 DHCD Small Projects Guide</a>	Web Page
<b>PLANNING PROJECT SCOPING &amp; DESIGN</b>		
• DHCD Design Guidelines & Standards	<a href="#">DHCD Design Guidelines and Construction Standards</a>	Reference
• DHCD House Doctor list	<a href="#">DHCD House Doctor List</a> 	Reference
• House Doctor Lite list	<a href="#">House Doctor Lite List</a>	Reference
• Check List of Tasks	<a href="#">Checklist of Tasks and Services for Implementing Small Projects</a>	Reference
• Letter contract with designer	<a href="http://www.mass.gov/hed/housing/ph-mod/design-contracts-for-jobs-under-100k-in-construct.html">www.mass.gov/hed/housing/ph-mod/design-contracts-for-jobs-under-100k-in-construct.html</a>	 Form
• Simple Scope of Work	Embedded in front ends below	Form
• Template Specifications Roof Paving Windows	Contact: Jim McCurdy, DHCD Supervising Architect at 617-573-1151 or e-mail at <a href="mailto:james.mccurdy@state.ma.us">james.mccurdy@state.ma.us</a> <a href="#">DHCD Index of Sample Template Specifications</a>	Form
• Project Budget Form	<a href="#">DHCD Project Budget Form</a> 	Form
• Project Schedule Form	<a href="#">DHCD Project Schedule Form</a> 	Form
<b>BID PACKAGE</b>		
• \$0-10,000 Front Ends - standard sections that require no modification	<a href="#">\$0- \$10,000 Building Related Front End</a>	Form
• \$10,000 -25,000 Front Ends – standard sections that require modification	<a href="#">\$10,000 - \$25,000 Building Related Front End</a>	Form
• \$0-\$10,000 Front Ends – standard sections that require modification	<a href="#">\$0-\$10,000 Non Building Related Front End</a>	Form
• \$10,000 -25,000 Front Ends – standard sections that require modification	<a href="#">\$10,000-\$25,000 Non Building Related Front End</a>	Form
• Sample Bid Package for Unit Price Roof Work	<a href="#">Sample Roof Bid Package</a>	Sample

Key Documents	Web Hyperlink	Type of Document
	<a href="#"><u>\$0-\$25,000 DHCD Small Projects Guide</u></a>	Web Page
<ul style="list-style-type: none"> <li>Public Notification for Central Register – sample</li> </ul>	<a href="#"><u>See sample page 28</u></a>	Sample
<ul style="list-style-type: none"> <li>Central Register website</li> </ul>	<a href="#"><u>Central Register Project Posting Link</u></a>	Reference
<ul style="list-style-type: none"> <li>Commbuys website</li> </ul>	<a href="#"><u>Commbuys - Operational Services Division (OSD)</u></a>	Reference
<b>PROCUREMENT</b>		
Low Bid Approval letter	<a href="#"><u>See page 30</u></a>	Form
Owner-Contractor Agreement	<a href="#"><u>\$0-\$10K Owner Contractor Agreement Form</u></a>  <a href="#"><u>\$10K-\$25K Owner Contractor Agreement</u></a> 	Form
Certificate of Board Vote Authorization	<a href="#"><u>Board Vote Form</u></a> 	Form
Contractor's Certificate of Insurance	<a href="#"><u>See sample page 29</u></a>	Sample
Contractors Debarred or Suspended by DCAM or Attorney General's Office	<a href="#"><u>DCAM Debarred Contractor List</u></a> <a href="#"><u>Attorney General's Debarred Contractor List</u></a>	Reference
<b>CONSTRUCTION</b>		
Notice to Proceed	<a href="#"><u>See sample page 31</u></a>	Form
Invoice Form for Under \$25k	<a href="#"><u>See Sample page 32</u></a> <a href="#"><u>Invoice Form for under \$25,000 Projects</u></a> 	
Force Account Labor Invoice	<a href="#"><u>See Sample page 33</u></a> <a href="#"><u>DHCD Force Account Labor Invoice Form</u></a> 	
Change Order Form	<a href="#"><u>DHCD Change Order Form</u></a>  <b>use item C-18</b>	Form
Certificate of Final Completion	<a href="#"><u>DHCD Certificate of Final Completion Form</u></a>  <a href="#"><u>Use item C-30 or See sample page 34</u></a>	Form
Certification of Compliance with Procurement Laws and Capital Plan Form	<a href="#"><u>See sample page 35</u></a> <a href="#"><u>Certification of Compliance Form</u></a>	Form

## DEFINITIONS OF BUILDING RELATED WORK

### VERTICAL CONSTRUCTION

Work Below are the most Typical Small Projects in Capital Plans Estimated to cost \$25,000 or less

#### ALARM SYSTEMS\*\*

Installation, renovation, repair and maintenance of low voltage fire protection, security, card access entry systems, closed circuit television systems, motion detectors, and other types of alarms systems within a building.

#### ASBESTOS REMOVAL\*\*

Removal and disposal of asbestos previously incorporated into a building, which may include encapsulation.

#### DELEADING

The undertaking of lead abatement projects involving one or more of the following: scraping and/or chemical stripping of lead paint, encapsulation and covering of lead contaminated surfaces, or removal and replacement of windows, woodwork or other contaminated surfaces within a building.

#### DEMOLITION

Building wrecking including the razing of buildings or parts of buildings, major gutting of buildings or removal of structural elements of a building. The removal of partitions, flooring, windows, etc. incidental to a renovation or remodeling project are not within this category.

#### DOORS AND WINDOWS

Installation of doors and windows made of wood, metal or other materials, both interior and exterior.

#### ELECTRICAL\*\*

Installation, renovation, repair and maintenance of electrical wiring, circuits, panel boards, fixtures and equipment within a building, including such incidental or related work as is customarily performed by those in the electricians' trade. ***Requires Mass Master Electrician's License.***

#### ELEVATORS

The installation, maintenance or repair of elevators, chair lifts, moving stairs, or dumbwaiters within a building.

#### ENERGY MANAGEMENT SYSTEMS\*\*

The design and installation of systems or maintenance programs to conserve energy use within a building includes performance-contracting energy saving projects including the installation or modification of new and existing equipment which will reduce energy and water consumption associated with heating, ventilation, and air conditioning system, lighting system, building envelope, domestic hot water system, other energy and water using devices and work associated with monitoring and verifying project savings and the study and/or design of the subject work.

#### EXTERIOR SIDING

Installation and/or repair of aluminum, vinyl, or other types of siding materials except masonry used on building exteriors.

#### FIRE PROTECTION SPRINKLER SYSTEMS\*\*

Installation, renovation, repair and maintenance of fire protection sprinklers in buildings including such incidental or related work as is customarily performed by those in the Fire Protection Sprinkler Systems' trade.

#### FLOOR COVERING

The installation of carpeting, resilient floor coverings, hardwood flooring and all types of tile installed as finished flooring within a building.



## GENERAL BUILDING CONSTRUCTION

Carpentry, new construction, renovation, rehab, alteration, addition, building maintenance repairs.

***Also, includes ramps & railings connected to a building, stairs, stoops & ADA improvements.***

### HVAC \*\*

Installation, renovation repair and maintenance of the systems and apparatus required, collectively or individually, to provide comfort heating, ventilation and/or cooling within or associated with a building, including such incidental or related work.

### MASONRY \*\*

Installation, renovation, repair and maintenance of masonry units composed of concrete, stone, or brick which are part of a building, including such incidental or related work.

### MECHANICAL SYSTEMS

The installation, renovation, repair and maintenance of power systems, process piping, instrumentation, controls, compressors, generators, turbines and other associated mechanical systems equipment.

### MISCELLANEOUS AND ORNAMENTAL IRON

Installation of miscellaneous and ornamental iron including, but not limited to, steel chairs, handrails and railings, ornamental metal, elevator ladders, ladders, balconies, catwalks, fire escapes, decorative grilles and screens, and any other non-standard metal items requiring custom fabrication and installation to a building.

**PAINTING** Application of paint to interior and exterior surfaces of buildings and preparation of such surfaces for the purpose of receiving a finish coat of paint, including such incidental or related work.

### PLUMBING\*\*

Installation, renovation repair and maintenance of pipes, fixtures and other apparatus in buildings for bringing in and distributing the water supply and removing liquid and water-borne wastes, including such incidental or related work. Requires possession of a Mass Master Plumber's License.

### RESILIENT FLOORS

Installation of, but not limited to, vinyl tile, asphalt tile, rubber and other resilient tile, resilient sheet flooring, linoleum, resilient vinyl or rubber bases, resilient stair treads and adhesives to a building.

### ROOFING & FLASHING OR GUTTERS \*\*

The installation of various types of roofing materials to a building, including shingles, slate, rubber, PVC and related flashing and drainage systems.

### TILE

Installation of tile which includes ceramic floor and wall tile, quarry tile, glass mosaic tile, special shapes, setting materials and accessories to a building.

### TELECOMMUNICATIONS SYSTEMS\*\*

Installation, repair and maintenance of telephone, intercom, television, computer network or related equipment for a major communication system within a building.

### WATERPROOFING, DAMP-PROOFING, AND CAULKING\*\*

Installation, renovation, repair or maintenance of materials required to make foundations, walls and other surfaces of a building damp-proof or impervious to water, including such incidental or related work as is customarily performed by those in the waterproofing and damp-proofing trade.

**\*\*Denotes - Use of a design professional is recommended\*\***

## DEFINITIONS OF NON-BUILDING WORK

### HORIZONTAL CONSTRUCTION

Work Below are the most Typical Small Projects in Capital Plans Estimated to cost \$25,000 or less

#### HAZARDOUS WASTE REMEDIATION\*\*

The removal, remediation, disposal of hazardous materials, soils, debris, waste.

#### LANDSCAPING

A project that includes planting, top soiling, seeding, mowing, grubbing, chemical vegetation control, tree trimming and removal.

#### PAVING \*\*

The planning, resurfacing and repaving of existing sidewalks, parking lots, roadways as well as all other work necessary to furnish a completed a surface.

#### SEWER AND WATER\*\*

The removal and/or repair of existing water and sewer lines. Installation of new water and sewer lines.

#### SEPTIC SYSTEMS

On site sewer system.

#### SITE IMPROVEMENTS

Chain Link Fence, Wood Fence, Metal Fence, Vinyl Fence, Retaining Walls; Playground Equipment, benches.

#### UNDERGROUND TANK REMOVAL AND REPLACEMENT \*\*

The testing, removal, and installation of underground storage tanks and all necessary appurtenances.

#### UTILITIES\*\*

The furnishing, installing, replacement, relocation, repair etc. of various types of conduit and piping etc. for underground and/or above ground utilities other than sewer and water lines, facility or system for producing, transmitting, or distributing communications, cable television, power electricity, light, heat, gas, oil crude products, steam, storm water not connected with highway drainage, or any other similar commodity including any fire or police signal system, which directly or indirectly serves the public.

**\*\*Denotes - Use of a design professional is recommended\*\***

**BIDDING SUMMARY \$0-\$25,000**  
**BUILDING RELATED VERTICAL CONSTRUCTION**

TYPE OF WORK	BIDDING PROCEDURES
<p><b>MGL c.149 §§44A-J</b></p> <p><b>Vertical Construction Building Related Work Labor &amp; Materials; Labor Only</b></p> <p><b>Less than \$10,000</b></p> <p><b>NOT A SEALED BID PROCESS</b>  <b>NO BID DEPOSIT REQUIRED</b>  <b>NO PAYMENT BOND REQUIRED</b></p>	<p><b><u>USE SOUND BUSINESS PRACTICES</u></b></p> <ul style="list-style-type: none"> <li>◆ LHA or Designer prepares scope of work &amp; bid package;</li> <li>◆ Apply for wage rates;</li> <li>◆ <b>Use DHCD Front-End \$0-\$10K; <i>General provisions will ensure appropriate certifications &amp; insurance requirements;</i></b></li> <li>◆ Keep a record which includes the name &amp; address of the person from whom the services were procured;</li> <li>◆ Award to the lowest responsible bidder; <b><i>Board Votes w/in 30 working days after receipt of quote.</i></b></li> <li>◆ LHA sends low bid approval letter w/contracts to the Contractor; and</li> <li>◆ <b>May use an invoice or Execute a Contract. Both require a Certificate of Insurance attached and then issue Notice to Proceed.</b></li> </ul>
<p><b>Vertical Construction Building Related Work Labor &amp; Materials; Labor Only</b></p> <p><b>\$10,000 - \$25,000</b></p> <p><b>NOT A SEALED BID PROCESS</b>  <b>NO BID DEPOSIT REQUIRED</b>  <b>NO PAYMENT BOND REQUIRED</b>  <b>EXECUTED CONTRACT REQUIRED</b></p>	<p><b><u>PUBLIC NOTIFICATION</u></b>  <b><u>NOT A SEALED BID PROCESS</u></b></p> <ul style="list-style-type: none"> <li>◆ LHA or Designer prepares scope of work &amp; bid package;</li> <li>◆ Apply for wages rates;</li> <li>◆ <b>Use DHCD Front-End \$10-\$25K. <i>General provisions will ensure appropriate certifications &amp; insurance requirements;</i></b></li> <li>◆ Solicit <b>written</b> quotes through <b>Public Notification Process</b>;</li> <li>◆ <b><i>Notice shall include a scope of work, a statement defining the work requirements &amp; time of completion.</i></b></li> <li>◆ Advertise in the Central Register &amp; COMMBUYS,<sup>1</sup> once 2 weeks prior to bid submission and post at LHA for one week before <b>bids</b> are due;</li> <li>◆ <b>10 hour OSHA Training Card required if work is \$10K or more;</b></li> <li>◆ Award to the lowest responsible bidder. <b><i>Board Votes w/in 30 working days after receipt of quote.</i></b></li> <li>◆ LHA sends low bid approval letter w/contracts to the Contractor; and</li> <li>◆ <b>May use an Invoice or Execute a Contract. Both require Certificate of Insurance attached and then issue Notice to Proceed.</b></li> </ul>

<sup>1</sup> COMMBUYS only applies to building related projects between \$10K-25K  
April 2015

**BIDDING SUMMARY \$0-\$25,000**  
**NON-BUILDING RELATED HORIZONTAL CONSTRUCTION**

TYPE OF WORK	BIDDING PROCEDURES - MGL c.30B §§4 &5
<p style="text-align: center;"><b>MGL c.30B §4</b>  <b>Site Work - Labor &amp; Materials;</b></p> <p style="text-align: center;"><b>Less than \$10,000</b></p> <p style="text-align: center;">↓</p> <p style="text-align: center;"><b>NOT A SEALED BID PROCESS</b>  <b>NO BID DEPOSIT REQUIRED</b>  <b>NO PAYMENT BOND REQUIRED</b></p>	<p style="text-align: center;"><b><u>USE SOUND BUSINESS PRACTICES</u></b></p> <ul style="list-style-type: none"> <li>◆ LHA or Designer prepares bid package &amp; scope of work;</li> <li>◆ Use DHCD Front-End \$0-\$10K; <i>General provisions will ensure appropriate certifications &amp; insurance requirements;</i></li> <li>◆ Apply for wage rates;</li> <li>◆ Keep a record which includes the name &amp; address of the person from whom the services were procured;</li> <li>◆ Award to the lowest responsible bidder; <i>Board Vote w/in 30 working days</i></li> <li>◆ LHA sends low bid approval letter w/contracts to the Contractor; and</li> <li>◆ <b>May use an Invoice or Execute a Contract. Both require a Certificate of Insurance attached and then issue a Notice to Proceed for Construction.</b></li> </ul>
<p style="text-align: center;"><b>MGL c.30B §5</b>  <b>Site Work-Labor &amp; Construction Materials</b>  <b>Sealed Bids</b>  <b>\$10,000 to \$24,999</b>  <b>No Bid Deposit</b></p> <p style="text-align: center;">↑</p>	<p style="text-align: center;"><b><u>ADVERTISE FOR SEALED BIDS</u></b></p> <ul style="list-style-type: none"> <li>◆ LHA or Designer prepares bid package &amp; scope of work;</li> <li>◆ Use DHCD Front-End \$0-\$10K; <i>General provisions will ensure appropriate certifications &amp; insurance requirements;</i></li> <li>◆ Apply for wage rates;</li> <li>◆ <b>10 hour OSHA Training if work is \$10,000 or more;</b></li> <li>◆ Advertise in Central Register and Local Newspaper once two weeks before bids are due and post at LHA for one week before <u>bids</u> are due:</li> <li>◆ Award to the lowest responsible <u>bidder</u>; <i>Board Votes w/in 30 working days</i></li> <li>◆ LHA sends low bid approval letter w/contracts to the Contractor; and</li> <li>◆ Execute Contract w/Certificate of Insurance attached and then issue a Notice to Proceed for Construction.</li> </ul>
<p style="text-align: center;"><b>MGL c.30 §39M</b></p> <p style="text-align: center;"><b>Site Work-Labor &amp; Construction Materials</b>  <b>Sealed Bids</b>  <b>\$10,000-25,000;</b></p> <p style="text-align: center;"><b>5% BID DEPOSIT REQUIRED;</b></p>	<p style="text-align: center;"><b><u>ADVERTISE FOR SEALED BIDS</u></b></p> <ul style="list-style-type: none"> <li>◆ LHA or Designer prepares bid package &amp; scope of work;</li> <li>◆ Use DHCD Front-End \$0-\$10K; <i>General provisions will ensure appropriate certifications &amp; insurance requirements;</i></li> <li>◆ Apply for wage rates;</li> <li>◆ <b>10 hour OSHA Training if work is \$10,000 or more;</b></li> <li>◆ Advertise in Central Register and Local Newspaper once two weeks before bids are due and post at LHA for one week before <u>bids</u> are due:</li> <li>◆ Award to the lowest responsible <u>bidder</u>; <i>Board Votes w/in 30 working days</i></li> <li>◆ LHA sends low bid approval letter w/contracts to the Contractor; and</li> <li>◆ Execute Contract w/Certificate of Insurance attached and then issue a Notice to Proceed for Construction.</li> </ul>

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## FORMS, TEMPLATES AND EXAMPLES

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# CENTRAL REGISTER PUBLIC NOTIFICATION SAMPLE

## State Publications and Regulations

William Francis Galvin, Secretary of the Commonwealth

[Home](#) | [Search](#) | [Index](#) | [Feedback](#) | [Contact](#)

The following General Contract submission was successfully received.

Planned date of publish is 1/18/2012

### Awarding Agency

Agency Name and Address:	Pepperell Housing Authority 4 Foster Street Pepperell, MA 01463
Project Number:	232021
Estimated Cost:	\$12,000
Contractor Qualification:	

Required for DCAM contracts over \$100,000, Massachusetts Highway contracts over \$50,000.

### Contact Information

Name:			
Phone:	978-433-9882	Fax	978-433-8982
Email Address:	pepperellha@yahoo.com		
	Notify email address listed when final publish date assigned.		

### Contract Information

Project:	Bathroom Shower Renovation in Barrier Free Residence		
Plans/Specifications Available:	Pepperell Housing Authority, January 1st-February 2nd, hours 9am to 1pm		
Place, date and time			
General Bid Deadline*:	02/02/2012	Time	1:00pm
Sub Bid Deadline:		Time	
Sub Bid Categories:			
Additional Information	Site inspection by appointment between 10:30am and 11:30 am on Tuesday January 24th		

This page can be printed for your records.

PACIFIC		CERTIFICATE OF INSURANCE				Issue Date (mm/dd/yy) 1/12/2012	
G4	<b>Producer</b> South Oil Insurance Co. 241 School Street Somerville, MA 02144					This certificate is issued as a matter of information only and co____ no rights under the certificate holder. This certificate does not amend, extend or alter the coverage afforded by the policies below.	
						COMPANIES AFFORDING COVERAGE	
						<b>Company Letter A</b> GADALIS & SERMOS INSURANCE Co.	
						<b>Company Letter B</b>	
	<b>Insured</b> Sophia Construction Co. 1256 Salem Street Malden, MA 02148					<b>Company Letter C</b>	
						<b>Company Letter D</b>	
COVERAGES							
This is to certify that policies of insurance listed below have been issued to the insured named above for the policy period indicated. Notwithstanding any requirement, term or condition of any contract or other document with respect to which this certificate may be issued or may pertain, the insurance afforded by the policies described herein is subject to all the terms, exclusions, and conditions of such policies.							
CO LTR	TYPE OF INSURANCE	POLICY NUMBER	POLICY EFFECTIVE DATE (mm/dd/yy)	POLICY EXPIRATION DATE (mm/dd/yy)	LIABILITY LIMITS IN THOUSANDS		
						EACH OCCURRENCE	AGGREGATE
A	<b>General Liability</b> <input checked="" type="checkbox"/> Comprehensive Form <input checked="" type="checkbox"/> Premises Operations <input checked="" type="checkbox"/> Underground Explosion & Collapse Hazard <input checked="" type="checkbox"/> Products/Completed Operations <input checked="" type="checkbox"/> Contractual <input checked="" type="checkbox"/> Independent Contractors <input checked="" type="checkbox"/> Broad Form Property Damage <input checked="" type="checkbox"/> Personal Injury	006954938	1/1/15	12/31/16	Bodily Injury	\$	\$
					Property Damage	\$	\$
					BI & PD Combined	\$	\$
					PERSONAL INJURY		\$
A	<b>Automobile Liability</b> <input checked="" type="checkbox"/> Any Auto <input checked="" type="checkbox"/> All Owned Autos (Priv Pass) <input checked="" type="checkbox"/> Hired Autos <input checked="" type="checkbox"/> Non Owned Autos <input checked="" type="checkbox"/> Garage Liability	OXD-34810	1/1/15	12/31/16	Bodily Injury per Person	\$	
					Bodily Injury per Accident	\$	
					Property Damage	\$	
					BI & PD Combined	\$	
A	<b>Excess Liability</b> <input checked="" type="checkbox"/> Umbrella Form <input checked="" type="checkbox"/> Other than Umbrella Form	0030CVAA	1/1/15	12/31/16	BI & PD Combined	\$	\$
A	<b>Workers Compensation and Employers' Liability</b>	3920VZ390	1/1/15	12/31/16	STATUTORY		
						\$	Each Accident
						\$	Deceased Policy Limited
A	<b>OTHER</b> All Risk builders Risk \$1,000 Ded.	N/A				\$	Deceased Each Employee
DESCRIPTION OF OPERATIONS, LOCATIONS/VEHICLES/SPECIAL ITEMS							
CERTIFICATE HOLDER				CANCELLATION			
AGREEABLE HOUSING AUTHORITY 82 Flint Street Agreeable, MA 02143				Should any of the above described policies be cancelled before the expiration date thereof, the issuing company will endeavor to mail 30 days written notice to the certificate holder named to the left, but failure to mail such notice shall impose no obligation or liability of any kind upon the company its agents or representatives.			
				SIGNATURE OF AUTHORIZED REPRESENTATIVE			

## LHA Letter Head

[DATE]

[NAME & ADDRESS OF CONTRACTOR]

RE: [IDENTIFY PROJECT]  
**Low Bid Approval Letter**

Dear

This is to advise you that the [ ] Housing Authority has voted at its [date] meeting and has award the above-referenced contract to your firm in the low bid amount of \$\_\_\_\_\_.

Please execute the attached contract (Owner-Contractor Agreement) and return it to [ ], along with a Certificate of Insurance that complies with the bid documents within five (5) working days.

If you have any questions, please contact [phone & e-mail address].

Very truly yours,

cc: Owner-Contractor Agreement



## LHA Letter Head

April 26, 2012

RST Construction, Inc.  
Box 100  
Enfield, MA 01234

Re: Enfield H.A. Project 667-3  
Enfield, MA

### N O T I C E T O P R O C E E D

Gentlemen:

Pursuant to the terms of your Contract dated March 27, 2012, for the Replacement of Floor Tile, at Project 667-3, you are hereby notified to commence work at the start of the business day on April 26, 2012. The time for the completion set forth in the Contract is thirty (30) consecutive calendar days, including the starting date which establishes May 25, 2012 as the Contract Completion Date.

You are informed that Mr. Steve Jones has been appointed Contract Officer and is duly authorized to administer your Contract for and in the name of this Authority. In case of her inability to act in this capacity at any time, Ms. Jane Smith has been designated as an alternative.

Please acknowledge receipt of this correspondence by executing and dating the original and three (3) copies of this Notice and returning the noted three (3) copies to this Authority.

Our tax exempt number is #000-000-000.

Sincerely,

Trafalgar Farquhar  
Executive Director

Accepted:

RST Construction, Inc.

By: \_\_\_\_\_ Dated: \_\_\_\_\_

# Invoice Form for Under 25K Projects

LHA:

Project FISH #:

The invoices listed below are for the approved scope and are due and payable:

(Press TAB to move between boxes)

Account (budget line)	Vendor Name	Invoice Amount	Invoice #	Description of Work	Construction Invoice*
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="checkbox"/> Yes
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="checkbox"/> Yes
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="checkbox"/> Yes
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="checkbox"/> Yes
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="checkbox"/> Yes
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="checkbox"/> Yes
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="checkbox"/> Yes
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="checkbox"/> Yes
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="checkbox"/> Yes
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="checkbox"/> Yes
TOTAL Requested:		<input type="text" value="\$0.00"/>			

\* or construction materials invoice

This submission must include invoices as noted below and may need to include a Certificate of Compliance. Please check next to item below to confirm.

- ☐ Invoice(s) included, amounts in table above are circled on invoice(s)
- ☐ If request includes construction (or construction materials) invoice(s), or is for a final payment, a completed and signed Certificate of Compliance is included

Submitted by:

Title:

Signature:

Date:

Email:

## Send To:

via Email - [DHCDInvoices@massmail.state.ma.us](mailto:DHCDInvoices@massmail.state.ma.us)

via US Mail - Gail Cassarino, DHCD, 100 Cambridge Street, Suite 300, Boston, MA 02114



# CERTIFICATE OF FINAL COMPLETION

COMMONWEALTH OF MASSACHUSETTS

DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT *This form should originate with the Architect*

Contractor	<u>Contractor Name</u>	Owner	<u>City or Town</u>	Housing Authority
	<u>Contractor's Street</u>		<u>LHA Street</u>	
	<u>Contractor City State Zip</u>		<u>LHA City, State Zip</u>	
Phone	<u></u>	Phone	<u></u>	
Fax	<u></u>	Fax	<u>LHA's Fax</u>	
Development No	<u></u>	Period Ending	<u></u>	
Contract for:	<u></u>	FISH No;	<u></u>	

## THE PARTIES AGREE THAT THE STATUS OF THE CONTRACT IS AS FOLLOWS:

### I. CONTRACT TIME

1. The Date of Completion is .....

### II. CONTRACT SUM

1. The Original Contract Sum is..... \$

2. The Sum of Approved Change Orders to Date is ..... \$

3. The Adjusted Contract Sum is ..... \$

#### LESS:

4. Sum of authorized payments to date: ..... \$

5. Sum of other claims by Owner:..... \$

III. THAT APPLICATION FOR PAYMENT NO.  IS DUE & PAYABLE IN THE AMOUNT OF: \$

*Copy Attached*

## THE UNDERSIGNED CONTRACTOR HEREBY CERTIFIES THAT: *The Contractor should complete items 1-5 and certify below*

1. All Work, including work required under change order(s)  has been performed in accordance with the terms of the Contract.
2. All changes to the Work (except minor modifications and field adjustments) have been authorized in writing by the Owner.
3. All laborers and mechanics have been paid at least the minimum wage rates as set forth in the Contract, and
4. There have been no claims made for infringement of any patent.
5. By accepting the payment shown in line III the Contractor releases the Owner from any and all claims arising under the Contract.

#### CERTIFIED: CONTRACTOR

In witness Whereof the Undersigned has signed and sealed this \_\_\_\_\_ Subscribed and Sworn before Me this \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_

Instrument this \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_

Firm: \_\_\_\_\_

By: \_\_\_\_\_ Date: \_\_\_\_\_

Title: \_\_\_\_\_

Notary

My Commission Expires: \_\_\_\_\_

## CERTIFICATION OF HOUSING AUTHORITY BOARD VOTE:

The \_\_\_\_\_ Housing Authority met on \_\_\_\_\_ And voted to approve this Certificate and Payment

Certified: \_\_\_\_\_ Contract Officer: \_\_\_\_\_

#### APPROVED: ARCHITECT

Firm: \_\_\_\_\_

By: \_\_\_\_\_

Date: \_\_\_\_\_

#### REVIEWED: CONSTRUCTION ADVISOR

Dept. of Housing & Community Development

By: \_\_\_\_\_

Date: \_\_\_\_\_

#### Approved: Director Const. Management Unit

Dept. of Housing & Community Development

By: \_\_\_\_\_

Date: \_\_\_\_\_

**CERTIFICATE OF COMPLIANCE WITH BIDDING LAWS AND CAPITAL PLAN  
FOR FISH PROJECT # \_\_\_\_\_**

The undersigned being a duly authorized representative of the  
\_\_\_\_\_ Housing Authority hereby certifies to DHCD that:

1. The housing authority solicited and reviewed the bids in accordance with the provisions of MGL c.149, §§44A-44J; MGL c.30B §5 or MGL c.30, §39M, whichever is applicable and has made a good faith effort to comply with 760 CMR 11.10 with respect to tenant participation.
2. The housing authority informed all prospective bidders that, if awarded the contract, they must pay the prevailing wage pursuant to MGL c.149, §26, and that the housing authority supplied all prospective bidders with the prevailing wage rates in effect at the time of the bid.
3. The housing authority has reviewed the low general bid and found it to be in compliance with MGL c.149, §44A. If a lower bid(s) was rejected, the bidder's identity and the reason for rejection is as follows: \_\_\_\_\_
4. There are no protests by general bidders before the Attorney General's Fair Labor and Business Practices Division or in a court of law, which might affect the contract award.
5. The amount of the contract award is the same as the amount of the lowest acceptable bid with the exception that: (specify any change in amount and the reason): \_\_\_\_\_
6. Check at least one box as applicable:
  - ☐ This construction contract is complete. For jobs over \$10,000, the Certificate of Final Completion is attached.
  - ☐ All invoices have been submitted for payment and this project is ready to be closed at a final cost of: \$ \_\_\_\_\_
  - ☐ This is an interim payment.
  - ☐ The housing authority procured materials subject to M.G.L. c.30B requirements and housing authority staff completed the work. The housing authority has properly accounted for the labor costs, subject to DHCD requirements.
7. If construction is complete, the building and equipment components of the development modified by this project have been updated in the Capital Planning System.
8. DHCD's funding of the contract is made in reliance on this certification.

**SIGNED UNDER THE PAINS AND PENALTIES OF PERJURY.**

\_\_\_\_\_  
**Name of Housing Authority**

By: \_\_\_\_\_  
**Signature**

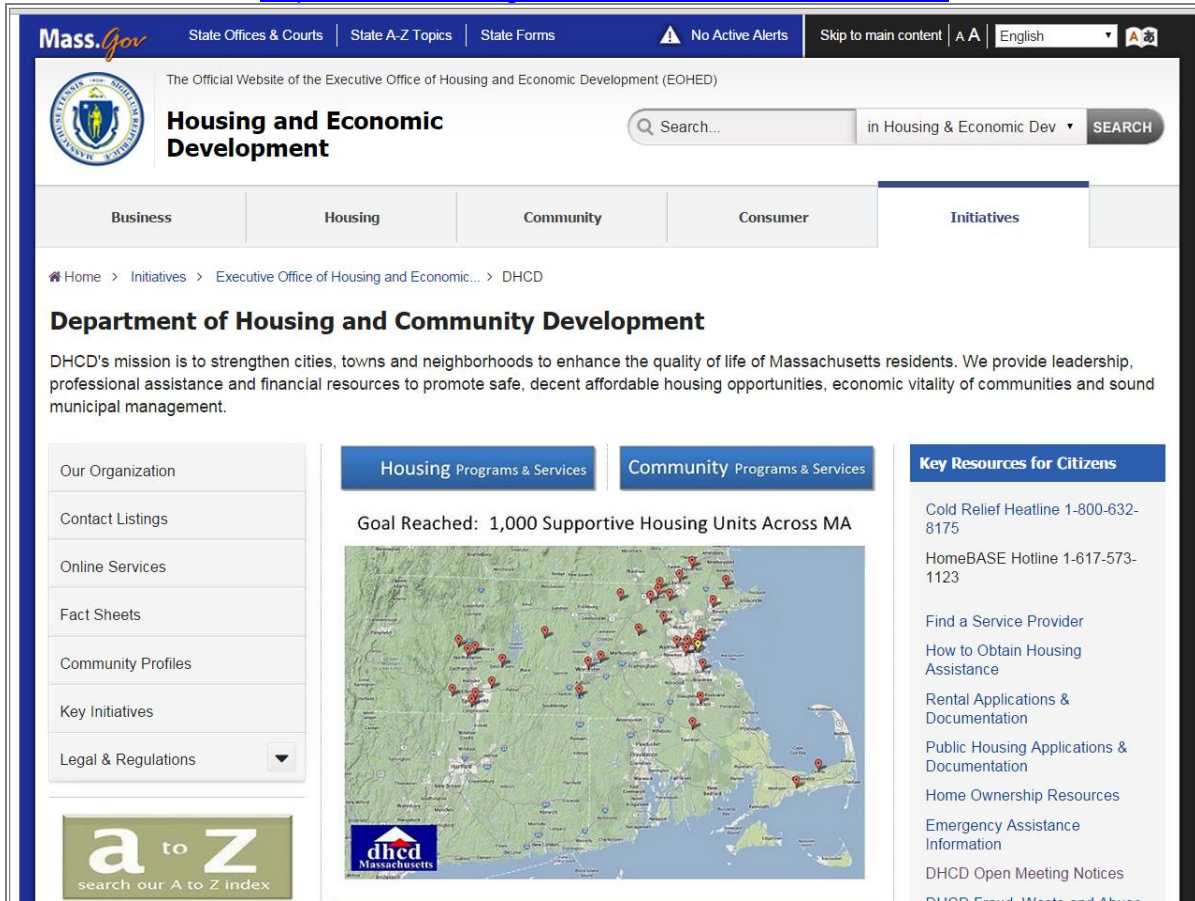
\_\_\_\_\_  
**Print Name**

\_\_\_\_\_  
**Print Title**

Date: \_\_\_\_\_

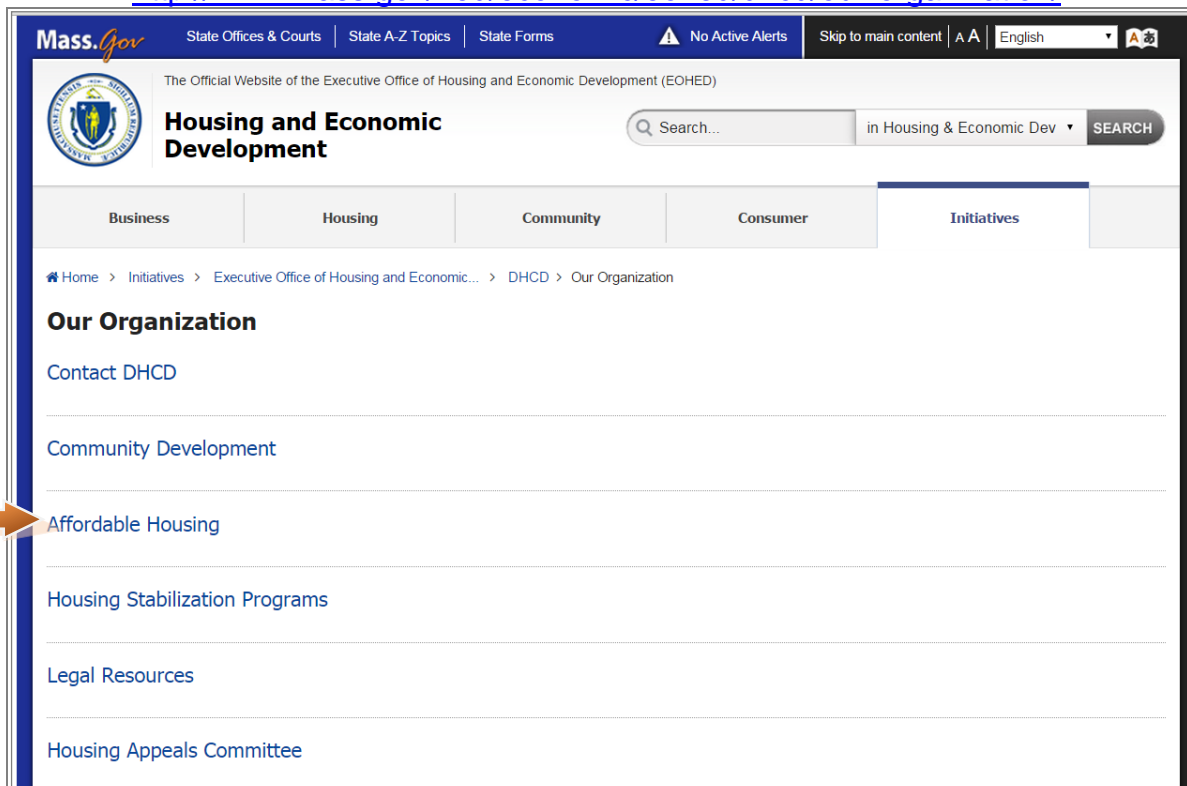
# NAVIGATING THE DHCD WEBSITE

<http://www.mass.gov/hed/economic/eohed/dhcd/>



The screenshot shows the DHCD website homepage. At the top is the Mass.gov header with navigation links for State Offices & Courts, State A-Z Topics, and State Forms. Below this is the DHCD logo and the text "The Official Website of the Executive Office of Housing and Economic Development (EOHED)". The main heading is "Housing and Economic Development". A search bar is located to the right of the heading. Below the heading is a navigation menu with tabs for Business, Housing, Community, Consumer, and Initiatives. The "Initiatives" tab is selected. The main content area features a breadcrumb trail: Home > Initiatives > Executive Office of Housing and Economic... > DHCD. The heading "Department of Housing and Community Development" is followed by a paragraph about DHCD's mission. Below this are three columns of content: "Our Organization" (with links like Contact Listings, Online Services, etc.), "Housing Programs & Services" (featuring a map of Massachusetts with red pins and the text "Goal Reached: 1,000 Supportive Housing Units Across MA"), and "Key Resources for Citizens" (listing various services like Cold Relief Hotline, HomeBASE Hotline, etc.).

<http://www.mass.gov/hed/economic/eohed/dhcd/our-organization/>



The screenshot shows the "Our Organization" page on the DHCD website. The header and navigation menu are identical to the previous screenshot. The breadcrumb trail is: Home > Initiatives > Executive Office of Housing and Economic... > DHCD > Our Organization. The heading "Our Organization" is followed by a list of links: Contact DHCD, Community Development, Affordable Housing, Housing Stabilization Programs, Legal Resources, and Housing Appeals Committee. An orange arrow points to the "Affordable Housing" link.

<http://www.mass.gov/hed/housing/>

Mass.gov State Offices & Courts | State A-Z Topics | State Forms No Active Alerts Skip to main content | A A English

The Official Website of the Executive Office of Housing and Economic Development (EOHED)

## Housing and Economic Development


Search... in Housing & Economic Dev SEARCH

Business Housing Community Consumer Initiatives

Home > Affordable Housing

### Affordable Housing

- Rental Assistance Programs
- Public Housing Programs
- Housing Stabilization Programs
- Rental Development
- Ownership Development
- Public Housing Modernization



Butternut Farm provides 26 units of family rental housing in Amherst. This new construction of three "Farmhouse-style" buildings with a range of unit sizes is located on 4 acre site that also includes play spaces, storage sheds, private patios and community meeting space.

This project was developed by HAP, Inc. and financed with sources including Federal HOME Investment Partnerships Funds, Affordable Housing Trust Funds and Tax Credit Exchange Program TCEX.

<http://www.mass.gov/hed/housing/ph-mod/>


**ONCE YOU HAVE ACCESSED THIS WEBSITE, SAVE IT AS A SHORT-CUT OR FAVORITE**

Mass.gov

State Offices & Courts | State A-Z Topics | State Forms

No Active Alerts

Skip to main content | A A | English



The Official Website of the Executive Office of Housing and Economic Development (EOHED)

**Housing and Economic Development**

Search... in Housing & Economic Dev SEARCH

Business

Housing

Community

Consumer

Initiatives

[Home](#) > [Housing](#) > [Public Housing Modernization](#)

**Public Housing Modernization**

The Bureau of Public Housing Development and Construction has the responsibility for the development, design and construction of new public housing units and the modernization of existing ones.

Front Ends

[\\$0-25,000 DHCD Small Projects Guide](#)

[Bidding Information](#)

[Capital Benchmarks](#)

[Construction Contracts & Bond Forms](#)

[Construction Handbook with Forms](#)

[Design Contracts for Jobs under \\$100K in Construction](#)

[Designer Selection: Process, Committee, Contracts](#)

[Design & Construction - Guidelines & Standards](#)

[Formula Funding Program](#)

[Front Ends, Procurement Forms & Contracting Requirements](#)

[High Leverage Asset Preservation Program \(HILAPP\)](#)